DEFENCE OF PENSION ORDER.

SECRETARY HITCHCOCK SAYS IT WAS NOT USURPATION.

Estimates the Increased Cost at \$5,400. 000 a Year-Merely Establishes "a Uniform Rule for Rating the Infirmities of Age"-Test of Manual Labor.

WASHINGTON, March 29 .- Secretary Hitchcock replied to-day to the Senate resolution of inquiry regarding the issuance of the recent pension order allotting pensions to old soldiers over 62 years of age and the probable increased expenditure resulting therefrom. The estimated increase in pension payments according to the Department's figures, is \$5,400,000 a year.

In his reply Secretary Hitchcock says the recent order merely regulated the administration of the act of 1890 and was not to be considered as enlarging the provisions of that act or in any way to affect its just interpretation.

As some misunderstanding with reference to the interpretation and purpose of this order exists, a brief review of pension legislation and the administration in the Department is submitted by Secretary Hitchcock to show that the order referred to is clearly within executive authority and in conformity with existing law and methods which had heretofore prevailed

in its administration. He said: Before the act of June 27, 1890, no pensions were granted except upon proof that the death or disability for which the pension was sought resulted from actual service. This act, however, provides that any person who had served ninety days or more and who had been honorably discharged should receive a pension of not less than \$6 nor more than \$12 per month if proof were furnished that he was suffering from a permanent dischiller was suffering

proof were furnished that he was suffering from a permanent disability not the result of vicious habits, which incapacitated him 'from the performance of manual labor in such a degree as to render him unable to earn a support.'

"Disability, partial or complete, to perform manual labor is the sole measure of the right to a pension under this act. The element of manual labor is fundamental. If, in the adjudication of a pension claim, it shall be determined that the applicant's pensionable disabilities render him wholly incapacitated for manual labor, his pension rating will be fixed accordingly, even though rating will be fixed accordingly, even though the applicant may be then occupied with distinguished usefulness in some field of intellectual endeavor.

intellectual endeavor.

"It is well understood that there is a natural decay of the physical powers due solely to age, which impairs a man's capacity to earn a support by his own manual labor. Not only does the act itself provide that 'each and every infirmity shall be duly considered,' but the decisions under it uniformly recognize 'he principle that disabilities due to senility alone are pensionable."

The Secretary then quotes four notable decisions and orders in this line, made by the Pension Bureau in 1803-07 and says:

the Pension Bureau in 1803-97 and says:
"Although age in connection with other disabilities has always been considered in

due to sensitive.

"In the administration of the pension laws and the consideration of the immense number of cases that are pending under every act, it is impossible to secure uniformity and expedition in decisions without laying down convenient rules for the weighing of evidence and prima facte presumption which long experience fusities. This has

years of age is partially disabled from earning a livelihood by his hands; that one who is 65 is more disabled for manual work; that one who is 68 is in a still greater degree incapable of earning a support by manual labor, and that one of 70 is completely disabled in this regard. Certainly, such a presumption is justified by general experience in actual life.

"When it is understood that in the adjudications under this act age has always

when it is innerstood that in the adjudications under this act age has always been considered a factor with other disabilities, and when it is further considered that for more than ten years there has been an established rating (the maximum allowed by law) based solely on the age of seventy-five years, and that for nearly seven years there has been an established rating (the minimum provided by law) seven years there has been an established rating (the immimum provided by law) based alone on the age of sixtu-five years, it will be apparent how largely problematical must be any estimate of increase of expendi-tures under the order of March 15, 1904."

COCKRAN'S PENSION MOVE.

Wants the Recent Order on Age Limit Investigated as to Its Legality.

WASHINGTON, March 29.-Congressman Cockran of New York introduced a resolution in the House to-day providing that "the Committee on the Judiciary be instructed to inquire and report to the House whether in the opinion of said committee there is any authority of law for the recent order of the authority of law for the recent order of the Secretary of the Interior to the effect that all persons who served in the army or navy of the United States during the War of the Rebellion and have reached the age of 62 years shall be presumed to have incurred disabilities such as to entitle them to receive pensions water the act of Congress appropriate sions under the act of Congress approved June 27, 1890, and if no such authority be found to exist, the said committee is in-structed to report whether the issue of such order amounts to a usurpation or invasion by the Executive of the powers vested by the Constitution in the legislative department of the Government, and what steps, if any, should be taken to vindicate the constituor the Government, and what steps, if any, should be taken to vindicate the constitutional authority of the Congress and particularly of this House over the raising of revenues and the expenditures thereof."

TOO GOOD FOR A NEW YORKER. Congressman Steenerson Gets the "Recerd" Corrected in Beference to a Speech.

WASHINGTON, March 29 .- After the journal had been approved in the House to-day Representative Steenerson (Rep., Minn.) rose to a question of personal privilege to correct the Record. Several days ago he dolivered a speech on the Post Office Appropriation bill and withheld it for revision. To-day it appeared in the Record

as a speech by Representative Steenerson of New York."
"How any one connected with the editorial staff of this great publication could have thought so good a speech was de-livered by any man from New York I am unable to understand," said Mr. Steenerson amid laughter.

He wanted the Record corrected, and the House complied with his wish.

Movements of Naval Vessels.

WASHINGTON, March 29,-The gunboat Isla de Luzon has arrived at Bombay and Isla de Luzon has arrived at Bombay and the cruiser Raleigh at Chemulpho. The gunboat Eagle has sailed from Bahia Honda for Key West; the collier Lebanon from Guantanamo for Norfolk; the destroyers Truxtun and Stewart from Guantanamo for Key West; the cruiser Olympia (flagship of Rear Admiral Coghlan) from Guantanamo for Pensacola; the gunboat El Cano from Ningpo for Nimrod Sound; the gunboat Annapolia from Shanghai for Nimrod Sound; the battleship Kentucky (flagship of Rear Admiral Evans) from Hong Kong for Colombo; the gunboat Hist from Newport for Boston; the tug Pontiac from New York for Boston; the tug Pontiac from New York for Boston, and the tug Nezinsoot from Portsmeuth for Boston. P. O. BILL REPORTED.

Senate Committee Favors Buying the P. R. R. Site in This City.

WASHINGTON, March 29 .- The Post Office Appropriation bill was reported to the senate late this afternoon by Mr. Penrose from the Committee on Post Offices and Post Roads. The committee made a number of amendments to the bill as passed by the House, and a lively debate is ex-

If the present programme of the Democrats is carried out the bill will be the basis

of a demand for a general investigation of the executive departments.

The committee inserted an amendment providing for the purchase outright of the Pennsylvania railroad terminal post office site in New York city for \$2,000,000 instead of renting. It was shown to the satisfaction

site in New York city for \$2,000,000 instead of renting. It was shown to the satisfaction of the committee that it would be cheaper to purchase the site than to rent it.

The committee accepted the House provision fixing the salaries of rural free carriers at \$720 a year, but added an amendment permitting them to carry merchandise and deliver newspapers and take subscriptions therefor, provided such work does not interfere with their official duties and provided that no discrimination shall be shown in the treatment of newspapers.

shown in the treatment of newspapers.

The Senate committee accepted the provision creating the office of purchasing agent of the Post Office Department, but raised the salary to \$4,500 a year.

Another amendment offered by the committee gives to the First Assistant Postmaster General, jurisdiction over city free demittee gives to the First Assistant Postmaster-General jurisdiction over city free delivery carriers. The committee wished to
give Mr. Wynne more work, but no other
divisions could be transferred without material derangement of the machinery of the
Post Office Department.
Mr. Penrose gave notice that he would
call un the bill immediately after the routine

call up the bill immediately after the routine business to-morrow morning.

TO SAVE JUDGE SWAYNE. Effort Being Made by His Friends to Tie

Up Impeachment Proceedings. WASHINGTON, March 29 .- Further proceedings in the matter of the impeachment of Judge Swayne may be stopped by changing the majority report against impeachment. An effort in this direction is being

put forth by the friends of the Florida jurist and is being engineered by Representative Gillette (Ren., Cal.), the author of the minority report and one of the members of the sub-committee which went to Florida to take evidence in the case. When the committee passed upon the

When the committee passed upon the matter there were thirteen of the seventeen members present. When the vote was taken the six Democrats voted with Representatives Palmer (Rep., Pa.) and Powers (Rep., Mass.) for impeachment. Four other Republicans voted against the impeachment resolution and one did not vote at all.

Mr. Gillette declares that these four Republicans, three besides himself, will sign his report against impeachment, and he is

publicans, three besides himself, will sign
his report against impeachment, and he is
seeking to have the four absentees who
did not hear either the evidence read or the
arguments made also sign it. He is inducing them to read the evidence and the
briefs in the case.

The four members who were absent
are Representatives Warner of Illinois,
who was away managing his guher-

disabilities has always been considered in determining pension ratings under the act, there has never been any uniform rule for rating the infirmities due to the element of age, with the exception of the two classes named. Such ratings therefore seem to have been governed by the varying opinious of the many who have been occupied with that duty, thereby imparting to that feature of pension administration something of uncertainty and inequality.

The presentatives Warner of Illinois, who was away managing his gubernatorial campaign. Thomas of Iowa, Nevin of Ohio and Pearre of Maryland. Representative Nevin has already signified his willingness to sign Mr. Gillette's report and one other is said to have expressed a similar desire. If the other two also sign it, and Representative Parker refuses to sign, the committee will be tied. of the man, that duty, thereby imparation sometimes ture of pension administration sometimes of uncertainty and inequality.

"To this fact, together with the growing importance of age conditions, is due in considerable measure the necessity for action on the line of this order, specifically defining, as far as practicable, ratings from the best obtainable data for infirmities due to senility.

An effort is being made also by the friends of Judge Swayne to line up the Republicans against impeachment on the ground that the charges against him are in the nature of a political persecution by Florida Democrats.

WILLIAMS, CANDIDATE, SPEAKS. Illinois's Favorite Democrat Attacks Roose-

mig of evidence and prima racis presumption which long experience justifies. This has been the uniform course of the Pension Bureau since its establishment.

"The order in question merely lays down as a convenient rule of decision and a rebuttable presumption of fact, that one who is otherwise entitled to a pension and is 62 or order in a partially disabled from the president, made a political speech predicting Democratic barmony and victory. J. R. Williams (Dem., Ill.), the favorite tion for President, made a political speech predicting Democratic harmony and v and arraigning the President for his attitude toward trusts and the Republican party for its position on the tariff.

"It is true," said Mr. Williams, "that Mr. Roosevelt, a short time before he became President, made some pretty severe declarations against trusts, but just as soon as he was in a position to do something his indictments against the trusts were soon turned into mere apologies for their existence, and the greatest joke ever attempted upon the American people was the report that Theodore Roosevelt was to be the anti-trust candidate for President. Whatever might have been their fear in the begin-

ning, the trusts have long since learned what a harmless agitator he is." Before he concluded, Mr. Williams turned Before he concluded, Mr. Williams turned his attention to the candidacy of Representative Hearst, without calling the name of the New York man. As a part of the Republican programme, Mr. Williams said, in order to keep all Republicans in line with the Administration, even those who are dissatisfied with it, the leaders were doing everything possible to induce the Democrate to line up with some "radical candidate" and disorganize them into a hopeless division before the national convention meets.

meets.
Such a candidate would not only disorganize, but would demoralize, the Demo-eratio party. He looked for no such out-come, but predicted unity and a triumph for Democracy.

BRISTOW PREPARED IT? Information Behind Closed Doors Regard-

ing the P. O. Report to the House. WASHINGTON, March 29 .- Chief Inspector Cochran of the Post Office Department, who has just returned from St. Louis, where he was engaged in the prosecution of Senator Burton, was before the McCall investigating committee of the House to-day and told what he knew about the preparation of the Bristow report of

Charges Concerning Members." Just what Mr. Cochran's statements disclosed the members refused to divulge, as their meeting was behind closed doors, for the reason that it was feared something which Mr. Cochran might say "would defeat the ends of justice," if made public. The members explained that "defeating the ends of justice" related to men under indictment by grand juries in connection with the Post Office scandals and not to the Members of Congress under indictment in

Members of Congress under indictment in the Bristow "report."

From Mr. Cochran the committee did learn to their satisfaction the authorship of the much discussed data and why it was compiled at the time it was, which was months before the information was called for by Chairman Overstreet.

Although no member of the committee will say so, the intimation is strong that Mr. Bristow directed the preparation of the data wherein Members of Congress were mentioned to substantiate the statement mentioned to substantiate the statement made in his original report that "a hundred other similar cases might be cited." The

committee expects to conclude its labors by the end of the week. Nominated by the President. WASHINGTON, March 29 .- The President sent the following nominations to the

Senate to-day: To be Collector of Customs-Stephen W. Church, for the district of Bristol and Warren, R. I.

Navy-To be a Lieutenant, Lieutenant (junior grade) George L. Smith.

Ensigns-Joseph K. Taussig, John W. Greenslade, James H. Tomb, James R. Combs, Herbert G. Sparrow, to be Lieutenants (junior grade.)

SMUGGLED CANADIAN FURS.

TREASURY CHARGES MONTREAL FIRM WITH SWINDLING.

Tells Why Goods Bought of This Firm Have Been Seized and Issues a Warning to Citizens of This Country Not to Buy the Concern-Some Victims.

WASHINGTON, March 29.-Smuggled furs from Canada, valued at many thousands of dollars, have been selzed recently by oustoms officers, notably in New York, Buffalo and Chicago. The seizures were made upon information that came to the Treasury Department several months ago, and the matter has been in charge of Secret

ever since. About forty persons are affected by the onfiscation of smuggled property, among the number being Reginald Vanderbilt and Peter F. Dailey of New York and Dr. Alexander Graham Bell of Washington. Although the furs all came from the same store in Montreal, Canada, the Treasury officials are satisfied that there was no collusion between the purchasers of the furs and the firm that sold them.

and the firm that sold them.

This statement was made at the Treasury Department to-day:

"These furs were purchased in good faith by American tourists from the firm of Desjardins & Co., Montreal, Canada. All the purchasers bought the furs upon the distinct understanding that the furs would be delivered to their homes in the United States, duty and all charges paid, these being included in the price paid by the purchasers to Desjardins & Co.

"In some instances written receipts were taken by the purchasers and these receipts include specifically the duties.

were taken by the purchasers and these receipts include specifically the duties. The United States Government, having no authority to take action against Desjardins & Co., and recognizing the good faith of the purchasers of the furs, has put at the disposal of the purchasers bringing suit against Desjardins & Co. the evidence in its possession. It has authorized its employees to go to Montreal at the time the cases are tried and testify in favor of the American purchasers.

cases are tried and testry in layor of the American purchasers.

"In every case, however, the furs have been seized by the United States Government. Some of them have been released upon the payment of the full Canadian value and the added duties, others are retained by the authorities and will be sold at rubblic auction. ublic auction.

*This announcement is made as publicly

In an announcement is made as publicly as possible as a warning to all persons who may be tempted to make purchases of Desjardins & Co. Absolute evidence of the smuggling of large amounts of furs by this firm is in possession of the Treasury Department."

Then follows a list of American purchasers of furs from the firm whose goods have been saized.

NO BLAME FOR COLLISION. Navy Department Takes No Action on the Illinois-Missouri Accident.

WASHINGTON, March 29 .- Secretary of the Navy Moody to-day made public the findings of the court of inquiry charged with investigating the collision between the battleships Illinois and Missouri off Guantanamo, Cuba, on March 2, together with the indorsements of himself, Admiral Dewey, Rear Admiral Barker, commanderin-chief of the North Atlantic fleet, and Judge Advocate General Lemly.

The court recommended that no further proceedings be taken, and in this Admiral Dewey, Rear Admiral Barker and Capt. Lemly concurred.

Secretary Moody neither approved nor disapproved the court's recommendations, letting the case rest with the indorsements of his subordinates

The court found that the collision was primarily due to the breaking of the Missouri's steering gear, making her unmanageable, but called attention to the fact that the Missouri did not display nor cound signals telling the Illinois the course she would take. Capt. Bradford of the Illinois commended for the manner in which he handled his ship in a trying emergency. nois is commended for the manner in which he handled his ship in a trying emergency.

Embraced in the records of the case is a personal letter dated March 25 from Secretary Moody to Admiral Dewey, in which he says that various questions arising out of the collision "have given me great concern, and I do not wish to shirk my duty in any respect or place my burdens upon your shoulders."

Among questions which Secretary Moods

Among questions which Secretary Moody asked the Admiral to answer was whether he was justified in acting upon the recom-mendation of the court that no further prooeedings be taken, or, if not, what action ahould he take. Admiral Dewey suggested that the Secretary approve the action of the

accordance with a suggestion of Admiral Dewey ample opportunity will hereafter be given new ships to prepare for
squadron movements. Secretary Moody
has directed that measures be taken to
eliminate as far se possible, accidents due
to disarrangement of the steering gear of
naval vessels.

A report from the Chief Constructor shows

A report from the Chief Constructor shows that it will cost \$28,700 to straighten the twisted propeller shaft of the Illinois, or \$33,000 if necessary to supply a new shaft. The work will take not less than sixty days.

BATTLESHIP'S BENT SHAFT.

Little Over Half an Inch Out of Straight -Will Be Bent Back.

The port propeller shaft of the battleship Illinois, which was bent by the battleship Missouri in a collision near Pensacola about three weeks ago, was removed from the vessel yesterday in the navy yard in Brooklyn. It will be taken to the machine shop and straightened. The bend was just abaft the strut that was broken and was found to be about nine-sixteenths of an inch. Nevertheless, the ship will

have to lie up about two months.

The two smokestacks of the protected cruiser Chattanooga were lowered into place at the navy yard yesterday. This place at the havy yard yesterday. This is the vessel that was contracted for with the Crescent Shipbuilding Company and was taken over by the Government when that company went into the hands of a re-

SUBSIDIARY COINAGE BILL. Measure to Remove the Limitation of the

Amount Reported to the Senate. WASHINGTON, March 29 .- An amendment to the Sundry Civil bill providing for the removal of the limitation as to the amount

removal of the limitation as to the amount of subsidiary coms that may be outstanding was reported favorably to the Senate to-day from the Senate Committee on Finance.

The act of 1900 placed no limitation on the subsidiary coinage from bullion purchased under the Sherman law. As that stock of bullion was about exhausted, it was intended by the law of last year to remove all restriction to subsidiary coinage, but through some inadvertence it only applied to that produced from the Sherman act bullion.

The present amendment, if adopted, will give the Secretary of the Treasury power to regulate the output of subsidiary. power to regulate the output of subsidiary coins according to the needs of business.

Commander Dyer to Govern Guam. Washington, March 29.—Commander George L. Dyer, U. S. N., has been selected for appointment as Governor of the Isle of Guam, succeeding the late Commandere William E. Sewell. Commander Dyer is now in command of the cruiser Albany in Chinese waters. She will land him at Guam on her way to Bremerton, Wash.

Army and Navy Orders. WASHINGTON, March 29.—These navy orders have been issued:
Rear Admiral J. K. Cogswell, placed on retired

Capt. R. B. Ingersoil, from War College to Washington as member naval examining and retiring boards. boards.
Commander J. H. Bull, from navy yard, Mare Island, to command the Solace.
Commander F. Singer, from command of the Solace to home and wat estern.

CANAL COMMISSION SAIL. Panama Likely to Receive Them With Conjubilation.

The Isthmian Canal Commission sailed for Colon yesterday on the Alliança to inspect the canal route, and look over some of the documents preparatory to the transfer of the property to the United States. With the exception of William Barclay Parsons the members expect to be gone about two months. Mr. Parsons will return earlier in order to keep a professional engagement in London.

"We shall begin our inspection as soon as possible," said Rear-Admiral John G. Walker, the chairman of the commission. *While I am already more or less familiar with the isthmus it will be necessary for us to go slowly in order to give the other commissioners a chance to familiarize themselves. Of course no contracts will be let, as the canal is not yet actually ours. The other members of the commission are Maj. Gen. George W. Davis, vice-chairman, and Governor of the American Panama Service officers and Treasury special agents

man, and Governor of the American Panama zone; Benjamin M. Harrod, Louisiana; Carl Ewald Grunsky, California; William H. Burr, New York; William Barclay Parsons and Col. Frank J. Hecker of Detroit. Col. William C. Gorgas, Assistant Surgeon General of the army; Dr. Lewis La Garde, U. S. A., and Dr. John W. Ross, U. S. N., accompanied the commissioners as medical advisers.

advisers.

"There is really no reason," said Dr. Ross, "why, under proper sanitary conditions, the canal zone cannot be made as salubrions as Cuba. Mosquitoes and water supply are two of the problems we shall have to meet."

Among those at the pier was Dr. Amador, consul for Panama and son of the President.

"The arrival of the commissioners," he said, "will be the signal for a great popular demonstration in Panama, as their arrival demonstration in Panama, as their arrival means the consumpration of the dearest wishes of the people of the republic."

SCHEME TO HINDER CANAL.

No Importance Attached to Suit Trying to Stop Panama Money Payments. WASHINGTON, March 29.-Secretary of the Treasury Shaw attaches no importance to the suit filed in the Supreme Court of the District of Columbia yesterday by Warren B. Wilson, a Chicago lawyer, to enjoin the Secretary from making any payment of public money on account of the Panama anal.

Mr. Shaw does not know Wilson and has no knowledge of the persons whom Wilson

no knowledge of the persons whom Wilson may represent in the pending suit. He regards the whole proceeding as grotesque. Before leaving for home last night Wilson denied that he was representing any one except himself in the suit, although he added that he did not expect the public to believe this statement.

The theory that Wilson is really representing clients in the Republic of Colombia is accepted by members of the Administration as plausible, for it is known that there are interests at Bogota bent on turning the last stone to embarrass the United States and to prevent building of the canal.

Attorney-General Knox said this morning that he had no official knowledge of the Wilson suit. No importance is attached to the case by officers of the Department of Justice.

NATURALIZATION CHECK. Congressman Goulden Explains His Bill to Prevent Extensive Frauds.

WASHINGTON, March 29.-Several proposed additional restrictions to the naturalization laws of the United States were explained to the House Committee on Immigration to-day by Representative Goulden f New York, who has a bill pending before the committee for this purpose.

The State laws of New York requiring all State employees and all municipal employees in the State to be citizens of the United States, he said, made the traffic in fraudulent naturalization papers very active and profitable. One Italian agency last year sold 4,000 fraudulent naturalization certificates, and another 2,500. These frauds were not confined to New York, but existed

in every State.

The chief feature of his bill is the requirement that every alien arriving in the United States shall procure from the immigration officials at the port of landing an identification certificate to be required by the Wine and Spirit Gazette, was instrumental when the alien makes application for court when the alien makes application for naturalization. A fee of \$1 is to be charged for its issuance.

AUTOMOBILE BILLS . PASSED. State Senate Approves the New Measures Regarding Speed on Highways.

ALBANY, March 29 .- The Senate to-day passed the automobile bills desired by the automobile associations, which differ in many respects from the laws recently enacted and condemned as being too drastic

All automobiles are to be registered with the Secretary of State. The speed provision of the proposed new law is much different from the one now on the statute books. This bill provides that automobiles may be driven in closely built up parts of cities and villages at the rate of a mile in six minutes, and in sparsely settled parts of the cities and villages at the rate of a mile in four minutes, and outside of the limits of a city or village at the rate of a mile in three

minutes.

Upon approaching a dam, bridge, curve or a steep descent speed shall be reduced to a mile in fifteen minutes. This will, it is argued, tend to prevent violations of the speed limits of the present law.

Automobilists are obliged to stop upon a pedestrian or a driver raising a hand directing them to stop. Speed tests upon a highway specially designated for such a purpose are to be permitted.

Violations of the speed limit are to be punished by a fine of not more than \$100 for the first offence; a fine of not less than \$50 or more than \$100, or imprisonment not exceeding thirty days, or by both fine and

exceeding thirty days, or by both fine and imprisonment for a second offence; a fine of not less than \$100 or more than \$250 and imprisonment not exceeding thirty days for a third offence.

RAPID TRANSIT BILLS DELAY. Mr. Olcott Charges The Belmont-Me-

Denald Syndicate With Causing It. ALBANY, March 29 .- The Belmont-McDonald interests to-day were charged with

being the principal opponents of the Rapid Transit Commission bills now pending in the Legislature. It was said that they were pushing the Elsberg-Newcomb bill to secure delay in acting on the bills introduced at the request of the commission.

This statement was made this afternoon before the Assembly Cities Committee by W. M. K. Olcott, representing the Rapid Transit Commission. He also said that the

W. M. K. Olcott, representing the Rapid Transit Commission. He also said that the commission in its fight to get its two bills passed by the Legistlature at this session, had to overcome the powerful opposition of the Consolidated Gas Company and kindred corporations.

Mr. Olcott said the only reason why the Belmont-McDonald syndicate was in favor of the consolidation of all the Rapid Transit bills was because it complicated matters to such an extent that there would be no danger of the Legislature passing such a bill at this session. Mr. Olcott urged that although former Senator John Ford and others were in favor of the Consolidated bill the real interest behind it was this syndicate, which wished delay. He urged the committee to take favorable action on the Rapid Transit Commission bills syndicate, which wished delay. He urged the committee to take favorable action on the Rapid Transit Commission bills in order to hasten the rapid transit construction work in New York City. After that was done he said that the Legislature could pass the Elsberg-Newcomb bill if it desired to do so.

Kings County Records Bill Signed. ALBANY, March 29 .- Gov. Odell to-day signed Senator Marshall's bill providing for the continuance of the office of Com-missioner of Records of Kings County and for the appointment of the Commissioner by the County judges.



Lace, Silk and Wash Waists

We offer a very choice collection of Wash Silk and Lace Waists, including:

White Wash Silk, \$6 and \$10.50. Crepe de Chine Lace-Trimmed Waists \$12.50.

Embroidered Linen Waists, some trimmed with lace insertion, at \$8.50 Chiffon Lace-Trimmed Waists at

\$20.00 and \$29.00. Wash Waists of Madras, Linen, Cheviots, Lawns, etc., in new models

at \$3.50 to \$6.50 each, as well as a number of other styles. James McCutcheon & Co.

14 West 23d Street.

ART SALES AND EXHIBITIONS. Executors' Unrestricted Sale

American Art Galleries, MADISON SQUARE SOUTH, NEW YORK Concluding Sale.

To-night

Ancient and Modern

PAINTINGS

 ${f James McCormick}$ The sale will be conducted by

THOMAS E. KIRBY, of the AMERICAN ART ASSOCIATION, Managers

RETAIL LIQUOR MEN'S RUSE.

MOVE ON DEPARTMENT STORES UNMASKED AT ALBANY.

Bill to Prohibit Sale of Liquor by Department Stores Beaten at a Committee Hearing-Anti-Saloon League Used as a Catspaw-J. B. Smith's Letters Read. ALBANY, March 20.-Failing to secure the legislation they desired through its

own efforts the Retail Liquor Dealers' Association was charged to-day with having induced the Anti-Saloon League to unite with it in having its bill introduced in the Legislature by one of the high minded New York city Republican Assemblymen, J. T. Newcomb. This came out at the hearing before the

in having the bill introduced and had used It as a strike at the Retail Dry Goods Asso ciation of New York city. A letter written by Smith was read. In it he wanted \$250 for representing the asso-

ciation at Albany and was not to receive any pay if the bill became a law. After any pay if the bill became a law. After the hearing the committee voted not to report the bill, thus killing it for this session at least. Mr. Smith didn't get his \$250.

W. H. Cooper of the Siegel Cooper Company; U. R. Butler, vice-president of the Simpson Crawford Company; Percy Straus, representing R. H. Macy & Co.; S. J. Bloomingdale and C. L. Graff, secretary of the New York City Retail Drygoods Association, appeared before the committee in opposition to the bill.

It was said that the bill was given to Mr. Newcomb for introduction by the Rev.

It was said that the bill was given to an.
Newcomb for introduction by the Rev.
Howard Russell, chairman of the legislative committee of the Anti-Saloon League,
Descall did not appear before the com-Mr. Russell did not appear before the committee, and the only one who did appear was Mr. Smith. His manner indicated that was Mr. Smith. His manner indicated that he was not comfortable.

Mr. Graff made the chief argument in opposition to the bill. He said that as his association had been obliged to go to Albany five times on this same bill it was time the truth was told. He said the fact that the bill was introduced this year under the auspices of the Anti-Saloon League was merely a cloak to hide the interests of liquor dealers who were behind the measure and wanted it enacted into a law.

Mr. Graff then read a letter from J. B.

Mr. Graff then read a letter from J. B. Smith addressed to a member of the association, in which Smith last December called

smith addressed to a member of the asso-ciation, in which Smith last December called to the attention of the dry goods people that the old time bill aimed at their interests would be introduced at Albany this winter. He said he was desirous of representing the association this year at Albany and would want \$250 for his services, but to re-ceive nothing if the bill became a law. Mr. Graff also read another letter written by Smith immediately after the introduction of the bill in the Assembly, calling attention to his offer of last December and asking for a reply at once. Mr. Graff said those letters would show what was the motive behind the bill, and he charged Smith with having induced the Anti-Saloon League to have Mr. Newcomb introduce the bill and then offering to defeat it. Mr. Graff wanted to read Mr. Smith's

Mr. Graff wanted to read Mr. Smith's record, but Chairman Plank didn't think the committee wished to be entertained in the committee wished to be entertained in that manner.

Regarding the charges that the sale of liquor in department stores led to greater intemperance among women, is was shown clearly that, instead, the sale of liquor in department stores was more of a preventive than otherwise, for the liquors are sold in original packages of quart bottles and 90 per cent. is delivered at homes of the customers. No liquor is allowed to be drunk on the premises.

drunk on the premises.

Mesers. Cooper, Butler, Strauss and
Bloomingdale also spoke in opposition
to the bill and described how they retailed Mr. Smith excitedly wished to clear him-

Mr. Smith excitedly wished to clear himself of the charges made, and protested against what Mr. Graff had said. He said that the letters which had been read by Mr. Graff had been written to J. B. Greenhut by him and were confidential. He didn't like it because they had been made public. The only reason that Smith could give why the bill should be passed was that the large department stores could buy liquors even cheaper than the wholesaie liquor dealers, and, being content with small profits, would undersell the liquor dealers. Then he denied having any acquaintance with Mr. Russell. Here he was interrupted by T. B. Farrell, also of the Dry Goods Association, who said that he had been informed that any time he wanted to find Mr. Smith in Albany when he wasn't about the Capitol he could find him at the office of Mr. Russell.

Mr. Russell.
Mr. Smith left the committee room in a



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refinement and perfect construction. Grand Rapids Furniture Company

34th Street, West, Nos. 155-157 MINUTE FROM BROADWAY."

METROPOLITAN BILL DEAD. Measure Relating to Street Car Transfers

Abandoned by the Company. ALBANY, March 29 .- One of the five bills in the interest of the New York City Railway Company (Metropolitan) pending in the Assembly was killed to-day at the request of the company on the motion Mr. Bedell, the introducer of this and

the four others. The measure provided that the State Railroad Commission should designate at what place on intersecting street railway lines in New York city transfers should be issued.

The bill also contained a provision trans-

ferring from the aggrieved passenger to

ferring from the aggrieved passenger to the Attorney-General of the State the right to sue for the penalty imposed on the road for refusal to give transfers.

In explanation of his motion to kill the bill, Mr. Bedell said that the committee, in reporting the measure, had believed it in the interest of the protection of human life at points where congestion was great. Since reporting the bill, however, it had been made plain that the people regarded the bill as an entering wedge toward the abolition of the entire transfer system.

He moved to strike out the enacting clause, and his motion was carried.

All five bills were on the second reading calendar in the Assembly, and Mr. Bedell expressed a desire that the other four be

calendar in the Assembly, and Mr. Bedell expressed a desire that the other four be advanced to a third reading. He said there was considerable misapprehension about these bills, and he read a letter directed to him by Attorney Paul D. Cravath of the Metropolitan, in which Mr. Cravath asserted that the company was proceeding in an open manner.

manner.

The four bills remaining were made a special order on second reading for Thurs-

MAJOR WOODBURY'S BILL To Enable Him to Raise Some Salaries and Do the Street Sprinkling.

Street Cleaning Commissioner Woodbury

went to Albany yesterday to urge the Cities Committee of the Senate to report favorably on his bill giving to him the power to increase the salaries of certain officials in his department and the power to do the sprinkling of the streets. This sprinkling work is now done under contracts with property owners by a private concern. The bill also authorizes the commissioner to appoint district superintendents in The Bronx and Brooklyn and the attachment to his department of seventy policemen to aid in the enforcement of the city ordinances

aid in the enforcement of the city ordinances relating to clean streets.

Last week Mayor McClellan vetoed a bill which Commissioner Lantry of the Department of Correction succeeded in getting passed making it mandatory on the administration to increase the salaries of the prison keepers. The Mayor said that the city authorities had the power to do what the Legislature was invoked to do. Yesterday he said that while he had not read Major Woodbury's bill, he was sure that the commissioner would introduce nothing that would tend to violate the principle of home rule, and that certainly

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revising salaries fixed by the Charter was not in the power of the local authorities.

ALBANY, March 29.—Street Commissioner John M. Woodbury, before the Senate Cities Committee this afternoon, explained that in the framing of the Charter no adequate provision was made for the sanding of asphalt streets in the winter and their sprinkling and flushing in the summer. He said the Borough President was supposed to do this work, but as he has not the facilities at his command it should be devolved upon the Street Cleaning Department.

The bill allows an increase in the salaries of the drivers and sweepers who have served for one year from \$720 to \$300 a year, and allows them 25 cents an hour compensation for actual work done on Sundays and holidays.

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